

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

STUART L. SKINNER, JR., EXECUTOR OF THE :
ESTATE OF STUART LEWIS SKINNER, DECEASED, :

Plaintiff

V.

UNITED STATES OF AMERICA,

Defendant

Case No. 1:19-cv-468-TSE-IDD

[proposed] FINAL ORDER

UPON CONSIDERATION of the parties' Joint Motion for Settlement Approval, and based on the arguments, authorities, and representations of counsel, and based further on the evidence received at the hearing on the Joint Motion for Settlement Approval, this Court finds:

1. Plaintiff's decedent, Stuart Lewis Skinner, died on December 17, 2017 in Manassas, Virginia.

2. Plaintiff qualified on April 18, 2018 in the Prince William County Circuit Court as the Executor of Stuart Lewis Skinner's estate.

3. Stuart Lewis Skinner, Deceased, is survived by Stuart L. Skinner, Jr. (son), Stethanie L. Skinner (daughter), and Ulonda L. Skinner (daughter).

4. Plaintiff claims that Stuart Lewis Skinner died as a result of the medical negligence of the Defendant. The Defendant expressly denies any liability or negligence. The settlement hereto is a compromise of a disputed claim.

5. Plaintiff, defendant, and their respective counsel believe that the settlement is just and reasonable, and the parties jointly move this Court for approval of the settlement on the terms set forth in the Settlement Agreement attached as *Exhibit 1* to the Joint Motion for Settlement Approval.

6. Subject to Court approval of the settlement and receipt by the plaintiff and his counsel of the gross settlement proceeds, plaintiff agrees to release the defendant, including its current and former employees, agents, servants, and subordinates, from liability on all claims that were or could have been asserted against the defendant in this case.

7. Plaintiff Stuart L. Skinner, Jr., Stethanie L. Skinner, and Ulonda L. Skinner are Stuart Lewis Skinner's sole statutory beneficiaries, as defined by Va. Code § 8.01-53, who are entitled to damages.¹

8. All parties interested and required by law to be notified of the Hearing were properly notified and convened.

WHEREFORE having heard the evidence and being of the opinion that the compromise offer outlined herein is fair and reasonable under all the circumstances of the case and is in the best interest of the Estate of Stuart Lewis Skinner, deceased for the following reasons:

- (a) the nature of the liability asserted,
- (b) the expense and time which would be involved in the litigation of this matter, and
- (c) the inability to predict the outcome of litigation in terms of prevailing party or amount of damages awarded.

¹ The Court finds that Stewart L. Skinner, Jr. and Patricia Reidmann are not statutory beneficiaries to this action as contemplated by Va. Code § 8.01-53 who are entitled to damages.

Accordingly, the Court approves this compromise and ADJUDGES and ORDERS that the compromise be effected in the sum of Four Hundred and Seventy-Five Thousand Dollars (\$475,000.00) to be distributed as follows:

- (a) To the law firm of TrialHawk Litigation Group, LLC in the amount of One Hundred Six Thousand Eight Hundred Seventy-Five Dollars (\$106,875.00) for attorney fees;
- (b) To the law firm of Bertram Law Group, PLLC in the amount of Eleven Thousand Eight Hundred Seventy-Five Dollars (\$11,875.00) for attorney fees;²
- (c) To the law firm of TrialHawk Litigation Group, LLC in the amount of Twenty-Six Thousand Eight Hundred Fifty-Two Dollars and Forty-Two Cents (\$26,852.42) for reimbursement of advanced litigation costs;
- (d) To the law firm of TrialHawk Litigation Group, LLC in the amount of Three Thousand One Hundred Forty-Seven Dollars (\$3,147.58) for payment of unknown unpaid costs (to be held for 30 days, after which any remainder goes to the beneficiaries of the Estate of Stuart Lewis Skinner in proportion to the amounts set forth below);
- (e) To Stuart L. Skinner, Jr., in the amount of One Hundred Ninety-Five Thousand Seven Hundred Fifty Dollars (\$195,750.00);
- (f) To Stethanie L. Skinner, in the amount of Sixty-Five Thousand Two Hundred Fifty Dollars (\$65,250.00); and
- (g) To Ulonda L. Skinner, in the amount of Sixty-Five Thousand Two Hundred Fifty Dollars (\$65,250.00).

It is further ORDERED that defendant United States of America, following payment of the settlement proceeds, is released and forever discharged from liability on all claims that were

² In accordance with 28 U.S.C. § 2678, the combined attorneys fees for services rendered total One Hundred Eighteen Thousand Seven Hundred Fifty Dollars (\$118,750), which is 25% of the total settlement amount of Four Hundred Seventy-Five Thousand Dollars (\$475,000).

or could have been asserted by the plaintiff, the Estate of Stuart Lewis Skinner, Stuart L. Skinner, Jr., Stethanie L. Skinner, and Ulonda L. Skinner in relation to the death of Stuart Lewis Skinner.

It is further ORDERED that this case is hereby DISMISSED WITH PREJUDICE.

It is further ORDERED that this action be stricken from the docket and filed among the ended causes of this Court.

The Clerk shall provide a copy of this Order to all counsel of record.

Alexandria, Virginia

DATE: _____

T. S. Ellis, III
United States District Judge

WE ASK FOR THIS:

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By: _____ /s/
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WE ASK FOR THIS:

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By: _____/s/

Elizabeth A. Spavins, Esq. / Catherine M. Yang, Esq., Assistant United States Attorneys

Jeffrey Hall, Esq., Special United States Attorney

Counsel for Defendant

I ASK FOR THIS:

Stuart L. Skinner, Jr., Individually and as
Executor of the Estate of Stuart Lewis Skinner